

EXHIBIT “G”

Part II of II

TERESA MCCOY
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January 18, 2022
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1 McCoy
2 pay, and I started to feel like I was in pain,
3 and I remember thinking like maybe I should
4 just leave this stuff and not pay for it and go
5 home, this was -- I'm starting to not feel
6 good, and then I thought, well, I would have
7 just wasted all this time, so I stayed on line.

8 Q. How many items was it that you
9 intended to purchase?

10 A. A few -- there were just like a few
11 items, some kitchen items.

12 Q. What were they, if you remember?

13 A. I remember a pot, like the kind
14 of -- like the stainless steel pot, maybe a
15 pillow, like an oversized pillow that you put
16 on the sofa, there might have been one or two
17 small items, things like that.

18 Q. And did you end up waiting on the
19 line and ultimately making the purchase?

20 A. I did, yes.

21 Q. At that point, did you then leave
22 the store?

23 A. Yes, I did.

24 Q. When you made the purchase at the
25 register, did you discuss the incident with the

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2 individual at the register?

3 A. I think I probably did say
4 something like, yes, I fell upstairs and now
5 I'm starting to really hurt.

6 Q. Do you recall who it was --

7 A. No, it was very busy, there were a
8 lot of people and they had a number of cash
9 register people working the cash register.

10 Q. Do you recall that individual
11 saying anything to you in response?

12 A. Probably oh, my God, that's
13 terrible.

14 Q. You said "probably," I don't want
15 you to guess --

16 A. Okay. So, I don't recall.

17 Q. Can you estimate how much the
18 stools weighed that were involved in your
19 incident?

20 A. No, I can't estimate.

21 Q. Would you describe them as heavy
22 items, light items, somewhere in the middle?

23 A. Somewhere in the middle.

24 Q. On your subsequent visits back to
25 the store, did you ever see those stools again

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2 out on the sales floor?

3 A. No.

4 Q. On your subsequent visits to the
5 store, did you ever observe any merchandise on
6 the floor for sale in the area?

7 A. On the floor?

8 Q. Yes.

9 A. I don't recall.

10 Q. On the day of your incident, other
11 than the stools and that red car that we talked
12 about, did you see any other items of
13 merchandise on the floor in any other area of
14 the store?

15 A. Yes. Downstairs, everywhere, yes,
16 they have a lot of items on the floor.

17 Q. Did you make any complaints to
18 anyone at the store that day about the
19 existence of those items on the floor?

20 A. No. The existence of the other
21 items?

22 Q. Correct.

23 A. No.

24 (Recess taken.)

25 BY MS. AZZARETTO:

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2 Q. So, after you left the HomeGoods
3 store that day, where did you go?

4 A. I came home.

5 Q. Did you make any stops along the
6 way?

7 A. I don't think so.

8 Q. When is the first time that you
9 sought medical treatment following the
10 incident?

11 A. I think it was the following day.

12 Q. Where did you go?

13 A. I went right around the corner,
14 they have a -- one of those Mount Sinai --
15 where you can go in and -- I forget what it's
16 called. It's not the actual hospital, but it's
17 sort of like a clinic type thing where you can
18 go in.

19 Q. Like an urgent care?

20 A. I'm sorry, that's it, urgent care.

21 Q. Did it have a name that you can
22 recall?

23 A. It's one of the Mount Sinai urgent
24 cares.

25 Q. Had you ever been there before?

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1 McCoy

2 A. I don't think so, no, because I had
3 recently moved to this apartment, so I wouldn't
4 have gone there before.

5 Q. Okay. And what complaints of pain
6 did you make that day?

7 A. That I was having a hard time
8 moving and I was in pain on my right side.

9 Q. Did you say specifically where on
10 the right side or just --

11 (Talking over each other.)

12 A. I was showing them how I was having
13 a hard time moving. I was trying to move my
14 body, my torso to the left and to the right and
15 my arms. And, you know, I basically said I had
16 fallen yesterday and, you know, now I'm
17 starting to hurt.

18 Q. When you said you were having a
19 hard time moving, was it because of pain or
20 were you physically unable to move or something
21 else?

22 A. Both, I was physically unable to
23 move and there was pain.

24 Q. Other than your right side, which
25 you've already mentioned, did you mention any

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2 more specific places on your right side,
3 whether it be your hips, your leg, your --
4 anything?
5 A. No. I think they -- I showed them
6 some of the bruising that had developed.
7 Q. Where did you have bruising?
8 A. All along my right side, on my
9 arms, on my hip area, on my thigh.
10 Q. What, if anything, did they do for
11 you at the urgent day?
12 A. They took X-rays.
13 Q. Of what parts of your body?
14 A. My ribs.
15 Q. That's on the right side or both
16 ribs?
17 A. I'm not sure if it was both sides.
18 Q. Did they tell you the results of
19 that X-ray?
20 A. One of the technicians who was
21 doing it said she thought it was a hairline
22 fracture, but that she wasn't the one to make
23 that determination, that the doctor did. And I
24 don't remember -- I don't think the doctor said
25 anything. She said that she would send it to

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2 my primary care physician.

3 Q. Did the doctor ever say that you
4 had any type of fracture based upon his
5 examination of the X-ray?

6 A. Which doctor.

7 Q. The one at the urgent care?

8 A. I don't recall her telling me
9 specifically whether it was or not, I know she
10 said that she sent the information to my
11 primary care physician, and that I should check
12 with my primary care physician.

13 Q. Just so I'm clear, did you see both
14 the X-ray technician and a doctor as urgent
15 care or --

16 A. Yes, yes. The technician is the
17 one who actually did the X-rays, and then I
18 remember that I was in the room with her when
19 she was looking at them, and she showed me and
20 then she said that I -- the doctor --

21 Q. You cut off. Could you repeat that
22 last sentence? We can't hear you.

23 MR. O'NEILL: No sound.

24 (Zoom connection dropped.)

25 THE WITNESS: Can you hear me now?

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2 BY MS. AZZARETTO:

3 Q. Now we can hear you.

4 A. Okay.

5 Q. Do you want me to have the last
6 question read back?

7 A. No. So, the technician then said
8 to me that I would have to see the doctor, and
9 the doctor would explain more.

10 Q. And was she referring to the doctor
11 at the urgent care --

12 (Talking over each other.)

13 A. Yes, the doctor at the urgent care.

14 Q. Just try and let me finish my
15 sentence so that the court reporter doesn't
16 kill us.

17 A. Okay, yes.

18 Q. Now, when you spoke with the doctor
19 at the urgent care, did he tell you one way or
20 another whether he saw a fracture in the rib
21 area?

22 A. It was a female -- she was a
23 female, and I don't recall whether she told me
24 or whether there was a fracture or not. I know
25 she did say that she was sending it to my

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primary care physician, and that's what I
recall.

4 Q. Who was your primary care
5 physician?

6 A. Dr. Debra Green.

7 Q. Other than what you've already told
8 me, did they do anything else for you at the
9 urgent care facility that day?

10 A. No.

11 Q. Did you make any complaints of pain
12 anywhere in your lumbar or cervical spine at
13 the urgent care that day?

14 A. No. I'm sure that I told them that
15 I have ankylosing spondylitis, and they might
16 have seen it in my -- because I have a lot of
17 doctors at Mount Sinai and have been treated
18 for many years at Mount Sinai, they would have
19 seen that in my --

20 Q. I just want to know if you were
21 complaining of pain to the back or neck that
22 day at that visit, regardless of what they were
23 aware of --

24 A. No, not in that visit. I do
25 remember just feeling very stiff.

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2 Q. And where? In your whole body?

3 A. In my cervical area.

4 Q. Okay. So, other than what we've
5 already discussed, they didn't do anything else
6 for you at Urgent Care; correct?

7 A. Yeah, I don't recall.

8 Q. Okay. Did you then, in fact, go
9 see Dr. Green at some point following the
10 incident?

11 A. Yes, I did because I had to go see
12 her to get a referral to go to my specialist at
13 Mount Sinai.

14 Q. And for what reason did you need to
15 see your specialist at Mount Sinai? Was that
16 for the spondylitis or something else?

17 A. It was for this, it was for falling
18 and for the spondylitis. The doctor there,
19 they have been treating me for many years, so
20 I -- Dr. Green is really, you know -- she's --
21 mostly because I have a disease that's taken
22 care of by a number of doctors, she doesn't get
23 that involved in it, so there is more an issue
24 of getting referrals or if I need a flu shot or
25 that sort of thing.

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2 Q. Where is Dr. Green's office
3 located?

4 A. Park Avenue and in the 80s.

5 Q. How long after the urgent care
6 facility was it that you went to see Dr. Green?

7 A. I think it was the next day.

8 Q. Did she review the X-rays that were
9 provided by urgent care at that time?

10 A. I don't remember if she did.

11 Q. What, if anything, did Dr. Green do
12 for you on that initial visit other than
13 provide you with a referral to the Mount Sinai
14 doctor?

15 A. I mean, she probably took my
16 vitals -- they took my vitals and she probably
17 did an examination, where I showed her that I
18 was having a hard time moving and that it was
19 painful. And I think I showed her the bruising
20 and the cuts, and that probably would have been
21 it, and then she would have -- they would have
22 sent me -- given me a referral.

23 Q. Did she take any X-rays of her own?

24 A. No, no.

25 Q. Okay. She gave you a referral for

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2 your specialist at Mount Sinai?

3 A. For the -- yes, for the
4 rheumatology department.

5 Q. Okay. Was there a particular
6 rheumatologist with whom you had a course of
7 treatment at that time?

8 A. Well, I go into the clinic and so
9 they have an attending physician, and then they
10 have rotating residents. So, at the time, I
11 feel like at this point I've been through three
12 residents with this -- with this issue. So, I
13 don't remember the name of the resident. My --
14 the attending there is Dr. -- I'm sorry, I'm
15 having a senior moment, I'm blacking -- I'm
16 forgetting it, but I will remember it. And
17 she's seen me for quite a long time.

18 Q. We can leave a blank in the
19 transcript and you could fill it in later.

20 _____
21 BY MS. AZZARETTO:

22 Q. So, this attending doctor at Mount
23 Sinai is someone whom you had been treating
24 with for a while before this incident; correct?

25 A. Yes.

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2 Q. And is she any type of specialist
3 or was she basically the --

4 A. No, she's a very -- she's a
5 prominent rheumatologist.

6 Q. She is. Okay. And is that the
7 individual who you went to see following this
8 fall, when you got the referral from Mount
9 Sinai?

10 A. Yes, I would have gone to see her.

11 Q. Now, when did you first start going
12 to the rheumatology clinic at Mount Sinai, how
13 long before?

14 A. First went to rheumatology at Mount
15 Sinai in 2011, I think.

16 Q. And that was for the spondylitis;
17 correct?

18 A. Yes.

19 Q. So, let's get into that a little
20 bit more.

21 When were you first diagnosed with the
22 spondylitis?

23 A. As I said, it was some decades
24 earlier. My father had it, I did have a gene
25 for it, which I had been -- they did some

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tests, the HLA-B27 gene. And I think in my 30s it was determined. But it doesn't necessarily mean that you're going to get it if you have a gene, just that you -- there's maybe a predisposition. And I -- in my 40s I started to see another rheumatologist who was affiliated with Mount Sinai, not at Mount Sinai, and he started treating me for it, for the ankylosing spondylitis. But it was -- I wasn't experiencing anything major, it was just something to keep an eye on.

13 Q. Okay. Let's stop there.

When you had the testing done in your
30s to see if you had the gene, where was that
done?

17 A. It was done with a primary care
18 physician in Manhattan.

19 O. And what's that doctor's name?

20 A. Dr. David Feldman.

21 Q. When did you stop treating with Dr.
22 Feldman as your primary care physician?

A. Sometime in my 30s.

24 Q. Okay. Any particular reason you
25 stopped treating with Dr. Feldman?

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2 A. I needed to get more specialty,
3 more, you know -- the doctors that Mount Sinai
4 had, you know, strong -- had a good reputation.

5 Q. So, then approximately when you
6 were in your 40s, you began experiencing some
7 slight symptoms that brought you to see a
8 rheumatologist at Mount Sinai, would that be
9 correct?

10 A. Yes.

11 Q. And what were those symptoms when
12 you first began experiencing them, relating to
13 the spondylitis?

14 A. Just stiffness in my lower -- I
15 remember that the first fusion was in my
16 sacroiliac joints, the two sacroiliac joints,
17 so just -- because I was very active and I
18 liked to stay very active and I was having some
19 pain in my lower back getting up, moving, that
20 sort of thing.

21 Q. Now, what was the name of the
22 rheumatologist that was affiliated with Mount
23 Sinai, but not at Mount Sinai that you began to
24 see in your 40s?

25 A. Again, I have it somewhere, but

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2 I -- he's also on Park Avenue, but I would have
3 to follow up with that.

4 Q. Okay. Now, how long did you treat
5 with that rheumatologist for?

6 A. A number of years.

7 Q. Would it be two years, five years,
8 ten years?

9 A. I stopped in 2011, so, yes, it
10 probably would have been maybe more than five
11 years.

Q. Why did you stop treating with that rheumatologist?

14 A. Because at that point I -- there
15 was a significant amount of fusion that had
16 occurred. I was in extreme pain and I was --
17 when I spoke to a doctor there, my new primary
18 care physician, who was at Mount Sinai, Dr.
19 Doug Dieterich, he suggested that I see someone
20 in the rheumatology department, and so I
21 decided to take his advice.

22 Q. While you were treating with the
23 doctor whose name we can't recall up until
24 2011, what treatments, if any, were given to
25 you for the spondylitis? Is there anything

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2 that could be done for it?

3 A. No, I took an anti-inflammatory
4 medication, Celebrex. And, you know, I was
5 very active, I did a lot of yoga and Pilates,
6 and he used to just tell me, "Keep doing what
7 you're doing." I ate very healthy, and so he
8 was always very pleased with how I was
9 progressing.

10 Q. Were there any surgical procedures
11 that were recommended to you?

12 A. No.

13 Q. And then at some point, you began
14 seeing Dr. Doug Dieterich, can you spell that?

15 A. D-I-E-T-E-R-I-C-H.

16 Q. And he is at Mount Sinai?

17 A. Yes.

18 Q. How long did you treat with Dr.
19 Dieterich for, for the spondylitis?

20 A. For a number of years as my primary
21 care physician, and he also treated me for GI
22 issues.

23 Q. Now, did his treatment of the
24 spondylitis condition differ in any way from
25 the prior rheumatologist?

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1 McCoy

2 A. He didn't treat me for the
3 ankylosing spondylitis. He was my primary care
4 physician and treated me for some related GI
5 issues. But at that time, I was still seeing
6 the unnamed rheumatologist.

7 Q. And then at some point in 2011 is
8 when you stopped seeing the unnamed -- right?

9 A. Yes.

10 Q. Okay. So, who did you switch to at
11 that point with regard to the ankylosing
12 spondylitis?

13 A. She's in the rheumatology
14 department, and the doctor that I initially saw
15 was Dr. Ghaw; G-H-A-W.

16 Q. Okay. And approximately when did
17 you start treating with Dr. Ghaw and when did
18 you stop?

19 A. I saw her for a period of time, and
20 then she -- she did X-rays and they saw a
21 significant amount of fusion had occurred in my
22 spine, which was really shocking because I
23 didn't know how the other rheumatologist hadn't
24 seen that.

25 And she put me on a course of

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treatment, they wanted to get me started on these TNF blocker drugs, but they did some sort of PCR test and it showed that I had once been exposed to hepatitis, which turned out to be false. actually.

7 So, they couldn't start me on the
8 drugs yet, the insurance prevents it, until you
9 do this course of action. So, I was on another
10 drug, INF or something like that, for like five
11 or six months until they were able -- I went to
12 another specialist in Infectious Disease who
13 did the gold standard test for whether I had
14 been exposed to the hepatitis or not, and he
15 said no, so I should get off those drugs.

16 And at that point, I decided to switch
17 rheumatologists in that department and go to
18 another one.

19 Q. When was that, approximately?

A. That was like 2012.

21 Q. Okay. And you began to see a
22 different rheumatologist in the same Mount
23 Sinai department; correct?

24 A. Yes.

25 Q. Who did you start seeing in 2012?

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2 A. Dr. Yousaf Ali; Y-O-U-S-A-F, A-L-I.

3 Q. Are you still treating with Dr.
4 Ali?

5 A. No, I don't have the insurance for
6 it. He doesn't accept it, so that's why I'm in
7 the clinic with his colleague.

8 Q. How long did you treat with Dr. Ali
9 for?

10 A. Until -- I think it was 2013 when
11 my insurance changed.

12 Q. And during that time period, what
13 did Dr. Ali do for you, if anything, with
14 regard to the condition?

15 A. He put me on a drug, one of these
16 TNF blockers called Remicade, which is an
17 infusion that you have to get every six weeks
18 at the therapeutic infusion center at Mount
19 Sinai, and it was a miracle. Like, you know, I
20 went from not being able to move to, you know,
21 feeling like myself again.

22 Q. Okay. So, it definitely helped
23 with the pain related to the condition?

24 A. Yes.

25 Q. Okay.

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2 A. It's not just the pain. There is a
3 limited mobility that happens because your
4 vertebrae are fused, so you just don't have
5 that kind flexibility and mobility, so it helps
6 with that.

7 Q. So, when your insurance changed in
8 2013, you went to see Dr. Ali -- one of Dr.
9 Ali's colleagues in Mount Sinai; correct?

10 A. I'm trying to -- no -- yes, I went
11 to see another one of the rheumatologists in
12 the clinic, but I went to see her at another --
13 at her outside office because that was the way
14 the insurance would approve it.

15 Q. And who was that?

16 A. I can't remember her name. I can
17 fill it in at another time.

18 Q. And how long did you treat with
19 that rheumatologist at her outside office?

20 A. Two years, three years.

21 Q. Okay. During that time period,
22 what treatment, if any -- was it she? I'm
23 sorry.

24 A. She, yes.

25 Q. What treatment did she do for you

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2 during that time period?

3 A. She continued the course, the same
4 course with the Remicade.

5 Q. And did that continue to help you?

6 A. Yes, it did.

7 Q. And approximately two years later,
8 for what reason did you stop treating with her?

9 A. The -- at a certain point, the
10 Remicade ceased to work for me and -- and then
11 I was in the facility, the Coler facility and
12 we were trying to figure out another -- and I
13 was in bad shape, physically bad shape.

14 Q. And you were admitted to that
15 rehabilitation facility in order to address
16 this condition; correct?

17 A. I couldn't take care of myself
18 anymore, so yes.

19 Q. And how long total were you in the
20 rehab facility?

21 A. Three years, two and a half years.
22 I was also waiting for housing while I was in
23 there. I had applied for housing since I have
24 lost my source of income and my housing, and so
25 I was waiting for that, as well.

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2 Q. During the time that you lived in a
3 rehabilitation facility, did you have one
4 specialist with whom you dealt with for this
5 condition, or was it multiple people?

6 A. No, I started to see -- I continued
7 to see the Mount Sinai people, but I had to go
8 into the clinic because I had Medicaid.

9 Q. So, when you say you had to go to
10 the clinic, you're talking about the Mount
11 Sinai clinic?

12 A. Yes, the rheumatology clinic. If
13 you have Medicaid, you get to access the same
14 doctors, but as attendings with residents.

15 Q. So, while you were living in the
16 rehab facility, you're still able to treat with
17 the Mount Sinai rheumatologist?

18 A. Yes.

19 Q. And which rheumatologist were you
20 treating with while you were living in the
21 rehab, do you know?

22 A. No, that's what I'm saying, I
23 can't -- for some reason I'm having a blank
24 with her name.

25 Q. Still the same one. And I just

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want to bring this up to present time so I have
a clear list of whom you treated with
throughout the years for this condition. So,
that individual whose name you can't recall,
was that still the same person that you treat
with currently, or did she stop treating you at
some point?

9 A. No, currently. Although I haven't
10 been there in a while.

11 Q. And why is that?

12 A. I have had some difficulties
13 getting out of the building because of the
14 elevator. There's a lot of elevator problems,
15 outages, and I haven't been able to make some
16 of the appointments.

17 Q. Do you have any current
18 appointments with the rheumatologist?

19 A. No.

Q. Do you intend to make any future appointments?

22 A. I'm planning -- yes, I do intend to
23 make an appointment in the next couple of
24 weeks. I'm planning on transferring from this
25 apartment to another apartment where the



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2 elevators are in better shape.

3 Q. When is the last time you treated
4 with the rheumatologist from the clinic?

5 A. Five, six months ago.

6 Q. At that time, were you still
7 getting the infusion?

8 A. No, the infusions, they stopped
9 working for me, which is why we went through
10 another series of drugs, and some of them
11 worked, some of them didn't work. They worked
12 for a short period of time, and then we
13 established that Humira worked -- worked almost
14 as well as the -- as the Remicade. I wasn't
15 thrilled about how to take Humira because it's
16 an injection, I wasn't crazy about having to do
17 an injection in my -- for the rest of my life,
18 but -- but that's what we eventually fixed on.

19 Q. And do you feel that's it helped
20 since you've been on the Humira?

21 A. With my ankylosing spondylitis,
22 yes.

23 Q. Other than the pain and the
24 stiffness that we discussed, are there any
25 other symptoms you have associated with that

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1 McCoy
2 ankylosing spondylitis condition that we
3 haven't discussed already?
4 A. There are related GI issues as part
5 of the larger disease.

6 Q. And what kind of GI issues?

7 A. Initially years ago, I had
8 ulcerative colitis and I had a surgery, I had
9 my colon taken out and they made a new one out
10 of my small intestine. So, I get treated by a
11 gastroenterologist for that.

12 Are you not seeing me?

13 Q. You're kind of all over the place,
14 I'm just going with it, unless anyone else has
15 an objection because we're nearing the end, so
16 -- cut in and out.

17 A. Okay, okay.

18 Q. We're getting there. Okay.

19 A. And in an earlier stage, also
20 because --

21 MR. O'NEILL: Wait for a question,
22 please.

23 THE WITNESS: Okay; yes. I'm sorry.

24 BY MS. AZZARETTO:

25 Q. Is it your claim that the

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1 McCoy
2 ankylosing spondylitis condition that you have
3 was worsened in any way as a result of the fall
4 that took place at HomeGoods?

5 A. Absolutely.

6 Q. In what ways?

7 A. The most significant ways to treat
8 and to help yourself with ankylosing
9 spondylitis, in addition to taking the TNF
10 drugs, is to stay as active and move as
11 possible.

12 So, I was always -- even while I was
13 taking the Remicade and in hospital when I was
14 taking -- getting the Humira, I would do yoga,
15 I lifted weights, I was very active, very, you
16 know -- it was very important for me to stay
17 active because the more you move, the more you
18 are able to move.

19 When I fell, after the fall, because I
20 feel I have these experiences as less -- I'm
21 less mobile in that area, because of that, it
22 is hindering me from being able to be as active
23 as I need to be and have been in the past with
24 my ankylosing spondylitis. So, it's sort of
25 like, you know, it's impacting it in that way.

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1 McCoy

2 Q. And you said you're less mobile in
3 that area, what area are you referring to?

4 A. It's in my -- in sort of the
5 middle, on the right side in my torso, on the
6 right side of my torso. So, if I move my arm
7 up to go -- to pick something up or down to
8 lift something off the floor or if I were to do
9 some sort of stretching or yoga or -- as I used
10 to do, I was a kayaker, I loved to kayak. This
11 is just not something I can do anymore without
12 a sort of significant pain that occurs in that
13 site.

14 Q. Have any of the doctors ever told
15 you that your ankylosing spondylitis condition
16 worsened as a result of the fall at HomeGoods?

17 A. They -- they don't say that. They
18 asked me is my Humira still working? Should I
19 continue to be on the Humira? And I tell them
20 yes, because there is no other stronger drug.

21 Q. Now, let's talk about the rib area
22 again just briefly. So, you indicated before
23 that the X-rays were going to be sent to your
24 primary care physician that were taken of the
25 rib that day, and the doctor didn't make any

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1 McCoy
2 statements to you one way or another about
3 whether or not there was a fracture. And I
4 believe you said Dr. Green was your primary
5 doctor at the time; correct?

6 A. Yes.

7 Q. Was there any further evaluation of
8 the right rib injury at any point with Dr.
9 Green?

10 A. Not with Dr. Green. With the
11 rheumatologist, they did.

12 Q. And the rheumatologist at Mount
13 Sinai at the clinic; correct?

14 A. Yes.

15 Q. Did they take any of their own
16 X-rays of the right rib area at any point?

17 A. Not of the right rib area because
18 they're all connected to Mount Sinai, but
19 they -- they did order other sets of X-rays.

20 Q. Of what parts of your body?

21 A. Of the -- you know what? I'm not
22 really sure, I feel like it's been a number of
23 them, and they just send them and I go and, you
24 know, they -- they wanted a number of them
25 done.

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1 McCoy

2 Q. And was that right at the point
3 when Dr. Green sent a referral following the
4 incident, is that around the time when those
5 X-rays took place or some other time?

6 A. It was around the time. It was
7 also a little bit confusing because it was
8 right when we were hit with COVID, so it was --
9 things were locked down, there wasn't a lot of
10 moving around even to go to the hospital,
11 unless it was like an emergency.

12 Q. Gotcha. I understand you don't
13 remember what body parts it was that were
14 X-rayed, and again we can leave a blank in the
15 transcript for that. But do you remember --

16 A. I know they did my chest, my, you
17 know -- they did my chest, they did the sides,
18 they did, yeah, a few things.

19 Q. And do you remember discussing the
20 results of those X-rays with the
21 rheumatologist?

22 A. Yes.

23 Q. What did they tell you?

24 A. She said that it is very difficult
25 in these kinds of falls, fractures, that it's

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McCoy
very often that they don't show -- it doesn't show up on an X-ray. And so, because of how I presented in terms of the inability to move, difficulty breathing, she was going to treat it as if it was a fracture, and that was how we were going to deal with it.

8 Q. Did she ever say she observed the
9 fracture or just what you just told me?

10 A. I'm pretty sure just what I just
11 told you.

12 Q. Okay. Now, you said she was going
13 to treat it as a fracture anyway.

14 In what way, what did she do to treat
15 it?

16 A. Okay --

17 (Zoom connection dropped.)

18 BY MS. AZZARETTO;

19 Q. Do you need the question read back?

20 A. No. They treated me internally, I
21 was given prescriptions for a number of
22 Lidocaine patches to -- to use. Normally I
23 think they would probably tell somebody to tak
24 some sort of ibuprofen and naproxen, but
25 because I have GI issues related to the

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1 McCoy
2 ankylosing spondylitis, I really can't take
3 those, they cause bleeding in my stomach. So,
4 we were limited in terms of what they could
5 give me. I'm not a major drug person, so, you
6 know, it's not like narcotics, it's -- I think
7 they -- they were hoping that the Lidocaine
8 would help.

9 I did the heating pad, I -- they
10 ordered a series of -- a course of physical
11 therapy, which I eventually went to. Again,
12 because of COVID, it was hard to do these
13 things right away.

14 Q. You were given the prescription for
15 the Lidocaine patches.

16 A. Where did you fill that?

17 Q. At CVS Pharmacy.

18 Q. Which one?

19 A. It's at 86th Street and Amsterdam
20 Avenue.

21 Q. Now, you began a course of physical
22 therapy.

23 A. When did you begin the physical
24 therapy, ultimately?

25 A. In 2021, the beginning, like either

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1 McCoy
2 December 2020 or January 2021, I was able to
3 finally get appointments.

4 Q. Where did you go for that?

5 A. Mount Sinai, also.

6 Q. Is that in a clinic or in a
7 hospital --

8 A. No, it's their physical therapy
9 department, it's in another building. You
10 know, up there it's like all these different
11 parts of the hospital.

12 Q. Are you still going for that
13 physical therapy?

14 A. No, my insurance only approved a
15 certain amount of visits.

16 Q. When you first started going, how
17 many times per week did you go?

18 A. I'm not sure whether it was twice a
19 week or once a week, you know, I'm not sure
20 exactly.

21 Q. And for how long did you go one or
22 two times a week?

23 A. I think in the end, it was
24 something like eight or nine visits I was
25 allowed.

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1 McCoy

2 Q. What did the therapy consist of?

3 A. We did some movements to try to get
4 me to be able to move in my right side more,
5 where I could do things around the house where
6 it wouldn't hurt as much. Even -- so, he
7 worked with me with bands, these -- and against
8 a wall where I would move -- push myself
9 against the wall and then using these bands,
10 and on a table doing certain movements, things
11 like that.

12 Q. Did you feel that the therapy
13 helped with the right-sided pain at all?

14 A. In some instances it did, in some
15 instances it flared and it made it worse, and
16 it caused me to be in a lot of pain and we
17 would have to postpone the next session.

18 Q. The reason you stopped that therapy
19 was because the insurance stopped paying for it
20 or something else?

21 A. Yes, they only approved a certain
22 amount of visits.

23 Q. And have you ever been back for
24 therapy since that time?

25 A. No, I can't afford to pay

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1 McCoy
2 out-of-pocket for it. He gave me the bands to
3 take it home, to do -- and they printed out a
4 number of things for me -- printouts for me to
5 do things at home.

6 Q. The right-sided pain that you
7 experienced since the fall, did you ever
8 experience similar right-sided pain before the
9 fall at HomeGoods?

10 A. No.

11 Q. Do you still experience right-sided
12 pain today?

13 A. Yes.

14 Q. Has it --

15 A. Not right now, not as I'm sitting
16 here, no.

17 Q. But I mean, in general --

18 A. Yes.

19 Q. -- today, do you feel that that
20 pain had increased or decreased since the date
21 of accident?

22 A. It depends, it will depend on the
23 activity that I'm doing. At some point,
24 depending on an activity, it can feel worse, it
25 can feel sharper. And in other instances, it

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1 McCoy

2 may not bother me as much.

3 Q. Do you have any future appointments
4 with anyone with regard to the right-sided
5 pain?

6 A. I've been considering going to see
7 a pain management specialist, and that was the
8 last conversation that I had with the Mount
9 Sinai resident.

10 Q. And no current appointments as of
11 this time; correct, for that?

12 A. No.

13 Q. And is there any reason why that
14 hasn't been done, yet, is this something you
15 intend to do when you can or something else?

16 A. Because elevator outages are really
17 becoming, it's hard for me to make an
18 appointment, and then not be able to keep it
19 with -- because the elevators go out for --
20 it's unpredictable, they could be out for a
21 whole day.

22 Q. Gotcha.

23 A. Did you lose me?

24 Q. Yes.

25 (Brief discussion off the record.)

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1 McCoy

2 BY MS. AZZARETTO:

3 Q. Other than the doctors -- and I'm
4 just going to go through this to try and get it
5 done as long as you can hear me. Can you hear
6 me?

7 (Zoom connection dropped.)

8 BY MS. AZZARETTO:

9 Q. Other than the doctors that we've
10 already discussed, have you treated with anyone
11 since the incident at HomeGoods with regard to
12 pain in the right side?

13 A. No.

14 Q. Other than the doctors that we've
15 already discussed, have you treated with anyone
16 either since the accident or before the
17 accident at HomeGoods for the ankylosing
18 spondylitis, again other than the people we've
19 already discussed?

20 A. No.

21 Q. Do you have any future appointments
22 with any doctors as of this date?

23 A. No.

24 Q. You mentioned -- I'm sorry, you
25 want to finish?

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1 McCoy

2 A. No, no.

3 Q. Now, you mentioned before that you
4 lived a very active lifestyle, and I believe
5 you mentioned yoga.

6 When was the last time that you
7 performed yoga?

8 A. Well, yoga, per se, before the
9 accident, I was probably living here for only a
10 week, but I might have been doing some, and
11 then while I was in the facility, I had a mat
12 and I would do things there while I was -- in
13 the year prior to my being discharged while I
14 was waiting for housing.

15 Q. So, you were doing it in the rehab
16 facility that you were living in; correct?

17 A. Yes.

18 Q. And how often were you able to do
19 that yoga?

20 A. I would do yoga and lifted weights
21 four, five times a week.

22 Q. Have you been able to do that at
23 all since the incident at HomeGoods?

24 A. I do more stretching and using the
25 bands, then anything that I would consider to

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1 McCoy
2 be yoga that I use, where I would use DVDs or
3 on YouTube or something like that.

4 Q. And is that a matter of convenience
5 or a matter of not being able to do the yoga
6 anymore or something else?

7 A. Yes, I can't do them anymore.

8 Q. And is that because of pain related
9 to the accident or something else?

10 A. It's related to pain related to the
11 accident, and because my ankylosing spondylitis
12 is where I'm somewhat more limited in terms of
13 my mobility because of the other, I'm just --
14 I'm just not as flexible.

15 Q. And you mentioned kayaking.

16 When was the last time that you went
17 kayaking?

18 A. 2015.

19 Q. And have you tried to go kayaking
20 since that time?

21 A. This past summer, I went -- I tried
22 to go down -- go down on Hudson, they have a
23 boat house there, and I was just not able to
24 even maneuver myself into the kayak.

25 Q. Okay. What other activities did

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1 McCoy
2 you used to be able to do before the incident
3 at HomeGoods, that you can't do either as well
4 or as much anymore?

5 A. Can that be activities that are
6 more basic?

7 Q. Sure.

8 A. I have difficulty in the shower
9 with washing my hair and like scrubbing my
10 back, I'm right-handed so that's also an issue.
11 Putting on lotions on my back, that sort of
12 thing. In some cases, getting dressed, putting
13 things over my head, I tend to wear things that
14 are button up or zip up now.

15 And getting in and out of the bed
16 because of my bed, where it's positioned, I
17 have to do it on the right side. So, again,
18 that -- it's a little bit trickier now. In the
19 kitchen or cleaning the house, like scrubbing
20 the tub and things like that, it's -- I'm not
21 able to do the job that I would like to do in
22 the kitchen, lifting things. I used to cook a
23 lot and bake, I loved cooking and baking, I
24 can't even lift my cast iron pan anymore --

(Talking over each other.)

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1 McCoy

2 Q. I'm sorry, go ahead.

3 A. I'm sorry.

4 Q. Finish your sentence, go ahead.

5 A. So, now things I have them on the
6 surfaces, on the counter surfaces so that I
7 don't actually have to take things down off the
8 top shelf or lift things up off the bottom
9 shelf. And so, that's kind of, you know,
10 contributed to a sort of feeling of things
11 being somewhat messy. Blow drying my hair can
12 be difficult.

13 So, you know, basic hygiene things,
14 activities like in the kitchen, lifting -- like
15 on the holidays, you know, lifting something
16 out of the oven, I have to basically have
17 somebody there to help.

18 Also, I'm just not, you know -- now I
19 use the walker almost all the time, and I just
20 don't feel that I'm as independent as I was
21 able to, it's really, you know -- now if I want
22 to go somewhere, I think to myself like can
23 somebody go with me or what's the situation
24 going to be there?

25 And it really has made me feel a lot

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1 McCoy
2 older. You know, when I moved here from the
3 facility, I was really thinking like, oh, I'm
4 going to get back to my old life again, the
5 drug Humira is working and, you know, I will be
6 able to jump back into my life, and it really
7 just hasn't happened.

8 Q. And what specifically is it that's
9 preventing you from doing that at this stage,
10 is it pain, is it stiffness, is it something
11 else?

12 A. There is pain when I move, yes.
13 There is pain and there is increased stiffness
14 from the ankylosing spondylitis, because I'm
15 not able to keep as active as I should. It's
16 sort of like one hand is washing the other.

17 Q. And the pain, where are you
18 experiencing the pain, currently?

19 A. So, if I move to the right, like if
20 I move my arm up to lift something up or move
21 my right arm down to lift something, I
22 basically am feeling it -- it's about two
23 inches below my armpit and it can -- the pain
24 can radiate out from there, so it can go toward
25 the front, toward the back, and it's based on

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1 McCoy

2 sort of how I'm moving.

3 Q. And that's something you didn't
4 experience before the fall at HomeGoods?

5 A. That's right.

6 Q. Okay. Other than what you've
7 already told me, any other activities that you
8 can't do as well or at all anymore since the
9 accident at HomeGoods, anything else?

10 A. I'm sure there are lots of things,
11 you know, I -- I like to decorate, move things
12 around the house, you know, I used to always
13 like move my furniture. I mean, there's a lot
14 of those sorts of things. I also feel that as
15 a result, I haven't involved myself in any kind
16 of interpersonal relationship, you know, a
17 relationship where I might have with a man. I
18 had hope to be able to join the garden, I like
19 to garden, there's a local community garden,
20 but I just don't feel that I'm up to that
21 anymore either.

22 Q. Have you had to hire anyone to help
23 you out around the house with the tasks that
24 you can't perform?

25 A. I haven't had to hire anybody

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1 McCoy
2 because I don't have the money to hire
3 somebody. I do have friends who have helped me
4 out. I have a friend of mine who's actually a
5 hairdresser regularly comes and washes my hair
6 for me, just because it's so difficult for me
7 to do. And neighbors have come in and helped
8 one thing or the other. As it is, I'm starting
9 to think I have -- for this move that I'm going
10 to be making very soon, I have to consider how
11 that's going to happen, as well.

12 Q. What's the address of where you
13 were going to be moving to, do you know?

14 A. I'm not exactly sure, but it's
15 right around the corner.

16 Q. Your stay in the rehabilitation
17 center, was that paid for by Medicaid?

18 A. Yes.

19 Q. Do you have any outstanding
20 balances or liens with regard to that stay that
21 you're aware of?

22 A. No.

23 Q. How about your treatment at the
24 Mount Sinai clinic, to your knowledge, was all
25 of that covered by Medicaid?

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1 McCoy

2 A. Yes, it's covered by Medicaid and I
3 believe that there is some kind of a lien.

4 Q. Okay. And as you sit here today,
5 are you aware of the details or specifics with
6 regard to that lien? How much --

7 A. I'm not aware. Mr. O'Neill might
8 be aware of it.

9 Q. Okay. I'm going to list a couple
10 of doctors that were referenced somewhere in
11 your records and ask if you recognize who they
12 are. If not, just tell me, I don't want you to
13 guess about anyone; okay?

14 First one is Leslie Kerr; K-E-R-R?

15 A. Okay. So, that's the doctor. The
16 unnamed rheumatologist, Dr. Kerr.

17 Q. Okay. Eleni Maloutas;
18 M-A-L-O-U-T-A-S?

19 A. She might have been a resident in
20 the Mount Sinai clinic, I'm not --

21 (Talking over each other.)

22 Q. I don't want you to guess. Only if
23 you remember.

24 A. Yeah, I'm not familiar.

25 Q. Robert Patrick Hirten; H-I-R-T-E-N?

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1 McCoy

2 A. Dr. Hirten I believe is a physician
3 at Mount Sinai. I don't believe that I saw him
4 with regards to this treatment. I think I have
5 seen him in the past when I was in the
6 emergency room at some point when I was in the
7 facility.

8 Q. For what condition?

9 A. For the loss of blood, so I had to
10 have a number of transfusions.

11 Q. Are you anemic?

12 A. Yes, it's part of the GI condition
13 related to ankylosing spondylitis, when the
14 drugs -- when we were in-between treatments for
15 my disease, I was bleeding significantly and
16 that's what happens. I have to have regular
17 infusions.

18 Q. When was the last time you had any
19 of those blood infusions?

20 A. It's been a while because the
21 Humira has been helping with that. So, it's
22 been over a year.

23 Q. Okay. What symptoms, if any, did
24 you experience as a result of that blood
25 condition? Did you experience lightheadedness,

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1 McCoy

2 dizziness, anything like that?

3 A. No. You feel fatigue, you know,
4 not lightheadedness, but you feel like
5 everything is kind of an exertion.

6 Q. Were you feeling in any way
7 fatigued on the day of the accident at
8 HomeGoods?

9 A. No, not at all.

10 Q. Were you feeling any type of
11 dizziness or anything like that on the day of
12 the accident.

13 A. No.

14 Q. Ruben, and I'm just going to spell
15 this, M-Y-L-V-A-G-A-N-A?

16 A. I don't know who that is.

17 Q. Okay. Christopher Gidicsin;
18 G-I-D-I-C-S-I-N?

19 A. I don't know who that is.

20 Q. Carrie Ernst; E-R-N-S-T?

21 A. I don't know who that is.

22 Q. Gina Sam; S-A-M?

23 A. I don't know who that is.

24 Q. Ruby Greywood?

25 A. I don't know who that is.

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1 McCoy

2 Q. Heidi Guzman?

3 A. I don't know who that is.

4 Q. Charles Snyder; S-N-Y-D-E-R?

5 A. I don't know who that is.

6 Q. And last one is Carolyn Cromwell;

7 C-R-O-M-W-E-L-L?

8 A. Yes, Dr. Cromwell is my
9 hematologist at Mount Sinai.

10 Q. Is that the one that you got the
11 blood transfusions from?

12 A. Yes, I did blood transfusions from
13 her and also iron infusions.

14 Q. Do you have some sort of iron
15 deficiency, as well?

16 A. Well, it's related to the GI issue
17 because I had my colon taken out. I don't
18 absorb iron in the way that other people do.
19 So, yeah, there's always sort of low level of
20 iron. And because when -- yes, so basically I
21 do, I have an iron deficiency.

22 Q. Have you ever had any prior
23 surgical procedures to either your neck or your
24 back before the incident at HomeGoods?

25 A. No.

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1 McCoy

2 Q. You mentioned before that you take
3 medication for depression and anxiety, I
4 believe.

5 Are you claiming that you have
6 experienced any depression or anxiety as a
7 result of the fall at the HomeGoods store?

8 A. I -- well, I was treating for it
9 prior to the fall at the HomeGoods store. And
10 yes, I would say that it has exacerbated the
11 underlying condition.

12 Q. Do you treat with a psychologist or
13 a psychologist or both for that condition?

14 A. I see a therapist and a nurse
15 practitioner for the medication.

16 Q. Who is the therapist?

17 A. Her name is Nicole Ryan -- no,
18 sorry. Nicole Maruna at Ryan Health. That's
19 just recently prior to that, I was seeing -- I
20 was in a clinic at Beth Israel, and then a
21 clinic at St. Luke's.

22 Q. I'm sorry, you said Nicole, what
23 was the last name, Maruna?

24 A. I think her last name is Maruna.

25 Q. And where does she work out of?

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1 McCoy

2 Where is her office?

3 A. Yeah, it's a facility -- a health
4 facility in the neighborhood, it's called Ryan
5 Health.

6 Q. R-Y-A-N?

7 A. Yes.

8 Q. Okay. So, we have Ryan Health, we
9 have the clinic at Beth Israel and the clinic
10 at St. Luke's.

11 Anywhere else where you treated for
12 the anxiety and depression?

13 A. No. When I was discharged from the
14 facility, I -- that's where I went right away,
15 the clinic at -- the mental health outpatient
16 clinic at St. Luke's.

17 Q. Do you have any current
18 appointments with your therapists?

19 A. Yes, I have one tomorrow.

20 Q. And you feel that the depression
21 has gotten worse since the fall?

22 A. It's just the sense that I -- my
23 options are just not as -- as not what I
24 thought they would be, that I feel a lot more
25 limited and I feel older as a result. I don't

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1 McCoy
2 know that I've necessarily been speaking with
3 her about that, because she's relatively new
4 and she's been helping me with this transfer,
5 this apartment transfer. So, we pretty much
6 focus on that.

7 Q. Were you ever diagnosed with
8 cataracts?

9 A. Yes.

10 Q. When was that?

11 A. In like maybe 2010, that was also
12 related to the ankylosing spondylitis because I
13 had to use the steroid drops, and they
14 contributed to, I think, the early cataracts,
15 but I had surgery.

16 Q. When did you have the cataract
17 surgery?

18 A. While I was in the facility, I
19 think it was in maybe 2017, 2018.

20 Q. Did you have any difficulty seeing
21 as a result of the cataracts?

22 A. Before -- when I had the cataracts?

23 Q. Yes.

24 A. Yes. You know, I had the typical
25 thing that, you know, it's hard to look in

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1 McCoy
2 light and, you know, things are not as crisp.
3 But after the surgery, it was amazing.

4 Q. That was my next question. Okay.

5 Were you involved in a prior fall at
6 some time in 2014?

7 A. Yes.

8 Q. Where did that fall take place?

9 A. In 2014? I'm trying to think --
10 that was, I think, where I went to Columbia
11 Presbyterian. It took place down in a
12 restaurant/bar downtown in Tribeca.

13 Q. Did you sustain injuries as a
14 result of that fall?

15 A. I think I fractured a rib.

16 Q. On the right side or the left?

17 A. I don't recall.

18 Q. Did you bring a lawsuit as a result
19 of that prior fall?

20 A. No.

21 Q. Other than going to Columbia
22 Presbyterian, did you treat anywhere else after
23 that fall for the condition to the rib?

24 A. No, I don't think so.

25 Q. What did they do for you, if

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1 McCoy

2 anything at Columbia Presbyterian?

3 A. They gave -- they probably gave
4 me -- I think that they gave me some pain
5 medication. They gave me this like thing that
6 you blow in, you have to like blow it in for a
7 while, like a period of time, you have to do it
8 every day. I don't recall anything else.

9 Q. Did you continue to experience pain
10 in the right rib area after that fall in 2014,
11 and if so, for how long?

12 A. I don't think -- I don't know that
13 it was on the right side.

14 Q. Okay. Wherever it was --

15 A. I didn't say it was on the right
16 side. No, I actually feel like I was back on
17 the mend pretty quickly.

18 Q. Now, was there a time period just
19 before the holidays in 2020 when you recall
20 reaching for something in a linen closet and
21 having a fall on your knees?

22 A. Yes.

23 Q. Approximately when before the
24 holidays was that? Do you remember what month?

25 A. It was either November or December.

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MCCOY V. TJX COMPANY

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1 McCoy

2 Q. And what is it that caused you to
3 fall at that time?

4 A. The pain on my right side, it kind
5 of -- it was just like a really intense pain,
6 and as a result of it, I just kind of was
7 unsteady and fell on my knees, and then was
8 able to catch myself on my hands.

9 Q. Did you sustain any injuries as a
10 result of that incident?

11 A. No, I don't think so, no. I did
12 tell my doctors about what had happened.

13 Q. The Mount Sinai doctors?

14 A. Yes.

15 Q. Okay. Other than that, did you
16 treat with anyone else for any pain associated
17 with that fall?

18 A. No.

19 Q. Have you had any other prior fall
20 other than the two we just discussed?

21 A. No, I don't recall that I have.

22 Q. Have you had any subsequent falls
23 since the incident at HomeGoods?

24 A. Other than that fall that we just
25 spoke about?

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1 McCoy

2 Q. Yes, correct.

3 A. No, no. Because right now, I
4 really use the walker all the time and I have a
5 cane, as well. So, I -- I'm not leaving much
6 to chance.

7 Q. Have you left the state for any
8 reason since the incident at HomeGoods?

9 A. No.

10 Q. Did you have a plan to go to Europe
11 at some point in 2020?

12 A. Yes, I did. I was hoping to go in
13 2020 to France to visit very close friends of
14 mine.

15 Q. And that didn't happen for any
16 reason related to the incident?

17 A. To the pandemic.

18 Q. Okay. Give me a second, please.

19 A. The whole world had to change their
20 plans.

21 MR. O'NEILL: Wait for a question.

22 BY MS. AZZARETTO:

23 Q. Have you ever been told that you
24 had De Quervain's Tenosynovitis?

25 A. I'm sorry, can you repeat that?

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1 McCoy

2 Q. Sure. Have you ever been told you
3 had De Quervain's Tenosynovitis?

4 A. Yes, it's a condition, I think, in
5 the wrist, yes.

6 Q. When were you diagnosed with that?

7 A. I think recently -- like in the
8 last couple of years, Mount Sinai, it's -- yes,
9 they gave me some movements to do.

10 Q. Is that the right wrist or the left
11 wrist?

12 A. I think it's both wrists.

13 Q. Were you ever told what brought
14 that condition on, if anything?

15 A. No, I think it's possible --
16 possibly age-related or, you know, age-related
17 arthritis, that sort of thing. I could be
18 wrong, I'm not sure.

19 Q. Had you had any alcohol in the
20 24-hour period prior to the incident at
21 HomeGoods?

22 A. No, I don't drink.

23 Q. Had you gotten your Humira shot
24 that day, if you recall?

25 A. Do you know what day of the week

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MCCOY V. TJX COMPANY

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1 McCoy

2 that -- the 29th was?

3 Q. I don't. Just if you can recall.

4 A. No, I don't think I did.

5 Q. Have you ever been convicted of a
6 crime?

7 A. Yes, I have.

8 Q. And when was that?

9 A. In 2016.

10 Q. And what were you convicted of?

11 A. I entered a plea arrangement and
12 I'm not exactly sure of what the charge was, it
13 might have been grand larceny in some degree.

14 Q. So, I didn't hear the beginning of
15 that, what kind of arrangement?

16 A. I entered into a plea arrangement
17 to -- so that I could get out of Rikers, and
18 I've been very ill while I was in there, I
19 wasn't getting treated for my disease. And
20 they told me if you accept this plea, you can
21 leave, so I did. I think -- I'm not exactly
22 sure, but it's possible that it was grand
23 larceny in the 3rd degree.

24 Q. Okay. And how long were you at
25 Rikers for?

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1 McCoy

2 A. Almost exactly one year.

3 Q. Were you ever convicted of any
4 other crimes other than the one we just
5 discussed?

6 A. No.

7 Q. Do you have any pending criminal
8 charges against you?

9 A. No.

10 Q. Have you ever filed for bankruptcy?

11 A. No.

12 MS. AZZARETTO: I think that's all I
13 have for today. I'm going to make a
14 request for several authorizations that I
15 don't believe I have in my possession
16 relating to urgent care, pharmacy,
17 psychiatric treatment.

18 I will put all of my requests in
19 writing and send it over to you, and I'm
20 just going to hold the deposition open
21 until we receive those records.

22 And thank you very much for your
23 time.

24 MR. O'NEILL: So, we're preserving
25 our right to read and sign, and you can

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1 McCoy
2 send your requests for authorizations,
3 I'm not agreeing or disagreeing right
4 now, I want to see what you're
5 requesting.

6 MS. AZZARETTO: Okay.

7 MR. O'NEILL: Thank you.

8 (Whereupon, at 12:45 p.m. the matter
9 was concluded.)

10

11

12

13

TERESA MCCOY

14

15 Subscribed and sworn to before me
this _____ day of _____, 20_____.
16

NOTARY PUBLIC

17

18

19

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1

I N D E X

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1

2

C E R T I F I C A T I O N

3

4 I, Jeffrey Shapiro, a Stenographic
5 Reporter and Notary Public, within and for the
6 State of New York, do hereby certify:

7 That TERESA MCCOY, the witness
8 whose examination is hereinbefore set forth, was
9 first duly sworn by me, and that transcript of
10 said testimony is a true record of the testimony
11 given by said witness.

12 I further certify that I am not
13 related to any of the parties to this action by
14 blood or marriage, and that I am in no way
15 interested in the outcome of this matter.

16

17 IN WITNESS WHEREOF, I have hereunto
18 set my hand this 29th day of January, 2022.

19

20

21

22

—
JEFFREY SHAPIRO

23

24

25

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1 DEPOSITION ERRATA SHEET

2

3 Our Assignment No. J7845303

4 Case Caption: McCoy vs. TJX Co.

5

6 DECLARATION UNDER PENALTY OF PERJURY

7 I declare under penalty of perjury
8 that I have read the entire transcript of
9 my Deposition taken in the captioned
10 matter or the same has been read to me,
11 and the same is true and accurate, save
12 and except for changes and/or
13 corrections, if any, as indicated by me
14 on the DEPOSITION ERRATA SHEET hereof,
15 with the understanding that I offer these
16 changes as if still under oath.

17

18

19

20 _____
Teresa McCoy

21

22 Subscribed and sworn to on the _____ day of
23 _____, 20____ before me,

24 Notary Public,
In and for the State of _____

TERESA MCCOY
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1 DEPOSITION ERRATA SHEET

2

3 Page No. _____ Line No. _____ Change to: _____

4 _____

5 Reason for change: _____

6 Page No. _____ Line No. _____ Change to: _____

7 _____

8 Reason for change: _____

9 Page No. _____ Line No. _____ Change to: _____

10 _____

11 Reason for change: _____

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14 Reason for change: _____

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17 Reason for change: _____

18 Page No. _____ Line No. _____ Change to: _____

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20 Reason for change: _____

21 Page No. _____ Line No. _____ Change to: _____

22 _____

23 Reason for change: _____

24 SIGNATURE: _____ DATE: _____

25 Teresa McCoy

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4 _____

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6 Page No. _____ Line No. _____ Change to: _____

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14 Reason for change: _____

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18 Page No. _____ Line No. _____ Change to: _____

19 _____

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22 _____

23 Reason for change: _____

24 SIGNATURE: _____ DATE: _____

25 Teresa McCoy

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